

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:

UNITED STATES OF AMERICA

: PROTECTIVE ORDER

-v-

: 14 Cr 810 (CM)

MOSHE MIRILASHVILI,

:

DAMON LEONARD,

:

JOMARIS JAVIER,

:

RAY WILLIAMS,

:

a/k/a "Obama,"

:

DORIAN AVERY,

:

a/k/a "Bo,"

:

TASHEEN DAVIS,

:

a/k/a "Hollywood,"

:

GANEENE GOODE,

:

a/k/a "Big Gina,"

:

THOMAS WHITE,

:

a/k/a "Black,"

:

CAROLYN MIDDLETON,

:

JOSEPH GRAY,

:

a/k/a "Dogs,"

:

KEVIN FRYE,

:

a/k/a "Pretty Kev,"

:

a/k/a "PK,"

:

Defendants.

:

- - - - - x

Upon the application of the United States Attorney for the Southern District of New York, by Assistant United States Attorneys Edward B. Diskant and Brooke Cucinella, of counsel, for the entry of a Protective Order, and for good cause shown, IT IS HEREBY ORDERED THAT:

1. With the exception of otherwise publicly available documents and information, any documents or materials (including electronic media) provided to the defendants pursuant to Federal Rule of Criminal Procedure 16, Title 18, United States Code, Section 3500, Brady v. Maryland, or United States v. Giglio, and which contain:

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- a. personal information (including, but not limited to, names, dates of birth, addresses, phone numbers and e-mail addresses); or
- b. other private, sensitive and confidential matter;

shall be deemed confidential ("Confidential Information").

2. Confidential Information disclosed to the defendants and/or their counsel during the course of proceedings in this action:

- a. shall be used by the defendants and/or their counsel solely for purposes of this criminal action;
- b. shall not be disclosed in any form by the defendants and/or their counsel to members of the media or used for any commercial or business purpose; and
- c. shall not be disclosed in any form by the defendants and/or their counsel except as set forth in paragraph 2 below.

3. Confidential Information may be disclosed by the defendants and/or their counsel only to the following designated persons:

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- a. all personnel employed or retained by the defendant's counsel;
- b. independent expert witnesses or advisors retained, pursuant to a written retainer agreement, by the defendant and/or his counsel in connection with the criminal case;
- c. prospective witnesses, and their counsel, to the extent deemed necessary by defense counsel, for trial preparation; and
- d. such other persons as hereafter may be authorized by the Government or by order issued by any Court.

Confidential Information may not be given to or remain in the custody of prospective witnesses.

4. The defendants and/or their counsel shall provide a copy of this Order to the designated persons to whom they disclose Confidential Information pursuant to subparagraphs 2(a)-(d). Designated persons shall be subject to the terms of this Order. The defendants and/or their counsel shall maintain a record of all such persons who have received Confidential Information.

5. The defendants and/or their counsel shall store Confidential Information in a secure place and shall use reasonable care to ensure that the Confidential Information is not disclosed

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or disseminated to any third parties in violation of this Protective Order. In the event of an inadvertent disclosure of Confidential Information, the defendants and/or their counsel shall promptly notify the Court and the Government as to the identity of the recipient of the inadvertently produced Confidential Information and shall use all reasonable efforts to secure the return or destruction of the inadvertently produced Confidential Information.

6. The defendants and/or their counsel shall return all covered materials to the Government at such time as they are no longer needed in this action, at the end of the criminal proceeding, or upon Order of the Court, whichever occurs first.

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7. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial held in this action, any appeal therefrom, or to any Judge or Magistrate Judge of this Court or the Court of Appeals for purposes of this action, except that defense counsel may retain such materials as are annexed to pleadings filed with the Court or the Court of Appeals in this case.

Dated: New York, New York
May __, 2015

SO ORDERED:

THE HONORABLE COLLEEN MCMAHON
UNITED STATES DISTRICT JUDGE